



RULE-MAKING ORDER

CR-103 (June 2004)
(Implements RCW 34.05.360)

Agency: Department of Labor and Industries

☒ Permanent Rule
☐ Emergency Rule

Effective date of rule:

Permanent Rules

☐ 31 days after filing.
☒ Other (specify) September 1, 2006 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Effective date of rule:

Emergency Rules

☐ Immediately upon filing.
☐ Later (specify) _____

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

☐ Yes ☒ No If Yes, explain:

Purpose: Anhydrous Ammonia

The purpose of this rulemaking is to make this rule easy to read, understand and more usable for employers. This rule will place anhydrous ammonia requirements from chapter 296-24 WAC into chapter 296-826 WAC, Anhydrous Ammonia. Also, references were updated. There are no anticipated effects. See Attachment (1).

Citation of existing rules affected by this order:

Repealed: See attachment (2)
Amended: None
Suspended: None

Statutory authority for adoption: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060

Other authority : None

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 06.06.064 on February 28, 2006.

Describe any changes other than editing from proposed to adopted version: None

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- ☐ That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- ☐ That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

Date adopted: May 2, 2006

NAME (TYPE OR PRINT)
Gary K. Weeks

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

WSR# 06-10-067

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	<u>49</u>	Amended	_____	Repealed	<u>13</u>
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	<u>49</u>	Amended	_____	Repealed	<u>13</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>49</u>	Amended	_____	Repealed	<u>13</u>
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	<u>49</u>	Amended	_____	Repealed	<u>13</u>

(1) Purpose:

NEW CHAPTER:

- **Chapter 296-826 WAC, Anhydrous Ammonia.**

NEW SECTIONS:

WAC 296-826-100, Scope.

- Added language to this section relating to what this chapter covers.

WAC 296-826-200, Employee safety.

- This section is a short table of contents of the sections located in this 3-digit WAC number.

WAC 296-826-20005, Personal protective equipment (PPEP).

- Moved requirements relating to personal protective equipment from WAC 296-24-51009, 296-24-51013 and 296-24-51017 to this section.

WAC 296-826-20010, Training.

- Moved requirements relating to training from WAC 296-24-51009 to this section.

WAC 296-826-20015, Chemical reactions.

- Moved requirements relating to chemical reactions from WAC 296-24-51003 to this section.

WAC 296-826-20020, Emergencies.

- Moved requirements relating to emergencies from WAC 296-24-51009 to this section.

WAC 296-826-300, Design, construction and installation.

- This section is a short table of contents of the sections located in this 3-digit WAC number.

WAC 296-826-30005, General specifications.

- Moved requirements relating to general specifications for container location and marking from WAC 296-24-51009, 296-24-51013 to this section.

WAC 296-826-30010, Specifications for portable DOT containers.

- Moved requirements relating to portable DOT container location and marking from WAC 296-24-51015 to this section.

WAC 296-826-30015, Nonrefrigerated stationary containers.

- Moved requirements relating to the design, construction and installation of nonrefrigerated stationary containers from WAC 296-24-51009, 296-24-51011 and 296-24-51017 to this section.

WAC 296-826-30020 Refrigerated storage.

- Moved requirements relating to the design, construction and installation of refrigerated storage containers from WAC 296-24-51013 to this section.

WAC 296-826-30025 Systems mounted on trucks, semi-trailers, and trailers.

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- Moved requirements relating to the design, construction and installation of systems mounted on trucks, semi-trailers, and trailers from WAC 296-24-51017 to this section.

WAC 296-826-30030 Systems mounted on farm trucks or trailers for transporting ammonia.

- Moved requirements relating to the design, construction and installation of systems mounted on farm trucks or trailers for transporting ammonia from WAC 296-24-51019 to this section.

WAC 296-826-30035 Systems mounted on farm equipment for ammonia application.

- Moved requirements relating to the design, construction and installation of systems mounted on farm equipment for ammonia application from WAC 296-24-51021 to this section.

WAC 296-826-30040 DOT containers.

- Moved requirements relating to the design, construction and installation of DOT containers from WAC 296-24-51017 and 296-24-51015 to this section.

WAC 296-826-30045 Installation.

- Moved requirements relating to installation of nonrefrigerated containers from WAC 296-24-51011 to this section.

WAC 296-826-30050 Reinstallation.

- Moved requirements relating to reinstallation of nonrefrigerated containers from WAC 296-24-51011 to this section.

WAC 296-826-30055 Installation.

- Moved requirements relating to installation of refrigerated storage tanks from WAC 296-24-51013 to this section.

WAC 296-826-30060 Reinstallation.

- Moved requirements relating to reinstallation of refrigerated storage tanks from WAC 296-24-51013 to this section.

WAC 296-826-400, Equipment and systems.

- This section is a short table of contents of the sections located in this 3-digit WAC number.

WAC 296-826-40005, Electrical.

- Moved requirements relating to electrical equipment and wiring from WAC 296-24-51009 to this section.

WAC 296-826-40010, Hose specifications.

- Moved requirements relating to hose specifications from WAC 296-24-51009 to this section.

WAC 296-826-40015, General requirements for all systems.

- Moved requirements relating to general piping, tubing, and fitting for all systems from WAC 296-24-51009 to this section.

WAC 296-826-40020 Nonrefrigerated systems.

- Moved requirements relating to piping, tubing, and fitting for nonrefrigerated systems from WAC 296-24-51009 and 296-24-51017 to this section.

WAC 296-826-40025 Systems mounted on trucks, semi-trailers and trailers.

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- Moved requirements relating to piping, tubing and fitting for systems mounted on trucks, semi-trailers, and trailers from WAC 296-24-51017 to this section.

WAC 296-826-40030 Refrigerated storage compressors.

- Moved requirements relating to refrigerated storage compressors from WAC 296-24-51013 to this section.

WAC 296-826-40035 Refrigeration load.

- Moved requirements relating to refrigeration load from WAC 296-24-51013 to this section.

WAC 296-826-40040 Separators for refrigerated storage.

- Moved requirements relating to separators for refrigerated storage from WAC 296-24-51013 to this section.

WAC 296-826-40045 Automatic control equipment for refrigerated storage.

- Moved requirements relating to automatic control equipment for refrigerated storage from WAC 296-24-51013 to this section.

WAC 296-826-40050 Other refrigerated storage equipment.

- Moved requirements relating to other refrigerated storage equipment from WAC 296-24-51013 to this section.

WAC 296-826-40055 Compressors for refrigerated systems.

- Moved requirements relating to compressors for refrigerated systems from WAC 296-24-51009 and 296-24-51013 to this section.

WAC 296-826-500 Appurtenances.

- This section is a short table of contents of the sections located in this 3-digit WAC number.

WAC 296-826-50005 Appurtenance requirements for all systems.

- Moved requirements relating to appurtenances for all systems from WAC 296-24-51009 to this section.

WAC 296-826-50010 Nonrefrigerated stationary containers.

- Moved requirements relating to appurtenances for nonrefrigerated stationary containers from WAC 296-24-51009 and 296-24-51011 to this section.

WAC 296-826-50015 Refrigerated tanks.

- Moved requirements relating to appurtenances for refrigerated tanks from WAC 296-24-51011 and 296-24-51013 to this section.

WAC 296-826-50020 Systems mounted on trucks, semi-trailers and trailers.

- Moved requirements relating to appurtenances for systems mounted on trucks, semi-trailers and trailers from WAC 296-24-51009, 296-24-51011 and 296-24-51017 to this section.

WAC 296-826-50025 Systems mounted on farm trucks or trailers for transportation of ammonia.

- Moved requirements relating to appurtenances for systems mounted on farm trucks or trailers for transportation of ammonia from WAC 296-24-51009, 296-24-51011 and 296-24-51019 to this section.

WAC 296-826-50030 Systems mounted on farm equipment for ammonia application.

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- Moved requirements relating to appurtenances for systems mounted on farm equipment for ammonia application from WAC 296-24-51009, 296-24-51011, 296-24-51019 and 296-24-51021 to this section.

WAC 296-826-50035 Portable DOT containers.

- Moved requirements relating to appurtenances for portable DOT containers from WAC 296-24-51015 to this section.

WAC 296-826-600 Operations.

- This section is a short table of contents of the sections located in this 3-digit WAC number.

WAC 296-826-60005 Mounting containers on trucks, semi-trailers and trailers.

- Moved requirements relating to mounting containers on trucks, semi-trailers and trailers from WAC 296-24-51017 to this section.

WAC 296-826-60010 Mounting containers on farm trucks or trailers for transporting ammonia.

- Moved requirements relating to mounting containers on farm trucks or trailers for transporting ammonia from WAC 296-24-51019 and 296-24-51021 to this section.

WAC 296-826-60015 Tank car loading or unloading.

- Moved requirements relating to tank car loading or unloading from WAC 296-24-51009 and 296-24-51017 to this section.

WAC 296-826-60020 General specifications.

- Moved requirements relating to general specifications for transferring liquids from WAC 296-24-51009 to this section.

WAC 296-826-60025 Additional requirements for systems mounted on trucks, semi-trailers, and trailers for transporting ammonia.

- Moved requirements relating to transferring liquids for systems mounted on trucks, semi-trailers, and trailers from WAC 296-24-51017 to this section.

WAC 296-826-60030 Nonrefrigerated containers.

- Moved requirements relating to filling densities on nonrefrigerated tanks from WAC 296-24-51009 to this section.

WAC 296-826-60035 Refrigerated tanks.

- Moved requirements relating to filling densities on refrigerated tanks from WAC 296-24-51013 to this section.

WAC 296-826-60040 Welding.

- Moved requirements relating to welding from WAC 296-24-51009 to this section.

WAC 296-826-900 Definitions.

- Moved definitions relating to anhydrous ammonia to this section.

REPEALED SECTIONS:

WAC 296-24-510, Storage and handling of anhydrous ammonia.

- Moved this section to chapter 296-826 WAC.

WAC 296-24-51001, Scope.

- Moved this section to chapter 296-826 WAC.

WAC 296-24-51003, General.

- Moved this section to chapter 296-826 WAC.

WAC 296-24-51005, Definitions.

- Moved this section to chapter 296-826 WAC.

WAC 296-24-51007, Use of water in emergencies.

- Moved this section to chapter 296-826 WAC.

WAC 296-24-51009, Basic rules.

- Moved this section to chapter 296-826 WAC.

WAC 296-24-51011, Systems utilizing stationary, pier-mounted or skid-mounted aboveground or underground, nonrefrigerated storage.

- Moved this section to chapter 296-826 WAC.

WAC 296-24-51013, Refrigerated storage.

- Moved this section to chapter 296-826 WAC.

WAC 296-24-51015, Systems utilizing portable DOT containers.

- Moved this section to chapter 296-826 WAC.

WAC 296-24-51017, Systems mounted on trucks, semi-trailers, and trailers for transportation of ammonia.

- Moved this section to chapter 296-826 WAC.

WAC 296-24-51019, Systems mounted on farm wagons (implements of husbandry) for the transportation of ammonia.

- Moved this section to chapter 296-826 WAC.

WAC 296-24-51021, Systems mounted on farm equipment (implements of husbandry) for the application of ammonia.

- Moved this section to chapter 296-826 WAC.

WAC 296-24-51099, Appendix C—Availability of reference material.

- This section is no longer applicable.

(2) Citation of existing rules affected by this order:

REPEALED SECTIONS:

Chapter 296-24 WAC, Safety Standards for General Safety and Health

WAC 296-24-510, Storage and handling of anhydrous ammonia.

- Move this section to chapter 296-826 WAC.

WAC 296-24-51001, Scope.

- Move this section to chapter 296-826 WAC.

WAC 296-24-51003, General.

- Move this section to chapter 296-826 WAC.

WAC 296-24-51005, Definitions.

- Move this section to chapter 296-826 WAC.

WAC 296-24-51007, Use of water in emergencies.

- Move this section to chapter 296-826 WAC.

WAC 296-24-51009, Basic rules.

- Move this section to chapter 296-826 WAC.

WAC 296-24-51011, Systems utilizing stationary, pier-mounted or skid-mounted aboveground or underground, nonrefrigerated storage.

- Move this section to chapter 296-826 WAC.

WAC 296-24-51013, Refrigerated storage.

- Move this section to chapter 296-826 WAC.

WAC 296-24-51015, Systems utilizing portable DOT containers.

- Move this section to chapter 296-826 WAC.

WAC 296-24-51017, Systems mounted on trucks, semi-trailers, and trailers for transportation of ammonia.

- Move this section to chapter 296-826 WAC.

WAC 296-24-51019, Systems mounted on farm wagons (implements of husbandry) for the transportation of ammonia.

- Move this section to chapter 296-826 WAC.

WAC 296-24-51021, Systems mounted on farm equipment (implements of husbandry) for the application of ammonia.

- Move this section to chapter 296-826 WAC.

WAC 296-24-51099, Appendix C—Availability of reference material.

- This section is no longer applicable.